

FELIX GONZALES
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VILLAGE MANAGER



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Village of Milan
P.O. Box 2727 • 623 Uranium Avenue
Milan, New Mexico 87021

April 9, 2018

Butch Tongate
Cabinet Secretary
Harold Runnels Building
1190 South St. Francis Drive, PO Box 5469
Santa Fe, New Mexico 87502-5469

Dear Mr. Tongate,

On behalf of the Village of Milan, I am writing to voice our concern that the EPA reconsider its proposal to list the San Mateo Creek Basin on the Superfund National Priorities List (NPL). As a local community that likely will be adversely affected by the listing for years to come, we ask that the EPA first provide an opportunity to discuss and assess the impact the listing will have on communities like ours, which are near the proposed NPL site. We strongly urge EPA to evaluate the effect that an NPL listing could have on property values in the affected communities as well as the corresponding impact on our residents and on the local economy. This evaluation should come *before* proposing NPL.

Cibola County, where the Village of Milan is located, has three Superfund sites, including Homestake Mining Co., Grants Chlorinated Solvents Plume, and Jackpile-Paguate Uranium Mine. Our community hoped that listing these sites would lead to the successful remediation and return of these properties to productive use; however, that has not proven to be the case. We have learned that it is not uncommon for sites to stay on the NPL for decades, with surrounding communities paying the price in terms of depressed property values. For example, Homestake Mining Co. was listed in 1983, and even after 35 years, it has not yet been deleted from the NPL. That hope has turned into a fear that the existing NPL sites will be on the NPL for 50 years or longer. Given how long sites remain on the NPL without any tangible plan or commitment to remediation, we are rightfully concerned that our community and our residents will suffer as a result of the proposed listing.

Adding to this concern is the scope of the potential NPL listing, which we understand is planned to cover over 321 square miles-making it the largest site listed in New Mexico. The four New Mexico sites that have reached deletion (AT&SF Clovis, Cal West Metals, USSBA, Cleveland Mill, and Pagano Salvage) were a fraction of the size of the proposed San Mateo site, each covering less than 1 square mile. Given the sheer size of the proposed

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San Mateo site, we have serious concerns about how long it will likely remain on the NPL. As of right now, we have no reason to expect that San Mateo can, or will, be quickly remediated and removed from the NPL. Remaining on the NPL for what could be decades would almost certainly compound the harm to local property values and our economy.

We are aware of numerous studies indicating that Superfund sites lower local property values. The equity our residents have accumulated in their homes is often their sole financial asset. Any reduction in home values will likely have a devastating impact on the financial stability of our residents and on our local economy.

Before moving forward with this proposal, we respectfully urge EPA to engage with local communities, take our concerns into consideration, and complete a full evaluation of the effects that San Mateo's NPL listing will have on the surrounding communities. Specifically, prior to listing San Mateo on the NPL, we request that EPA:

1. Conduct an analysis of the potential economic impacts of listing San Mateo on the NPL on the surrounding communities, including potential effects on the Village of Milan's property values and economy.
2. Consider and present alternatives to NPL listing, including engagement with potentially responsible parties (PRPs) to initiate voluntary and cooperative cleanups;
3. Evaluate whether PRPs are willing to engage in voluntary and cooperative cleanup.
4. Determine and commit to the measures that EPA will take to efficiently move San Mateo through the NPL process and prevent San Mateo from remaining on the NPL for decades;
5. Consider reducing the proposed San Mateo site size or divide it into multiple sites to expedite the cleanup process, and if certain portions are listed after a careful analysis, to expedite deletion from the NPL; and
6. Postpone proposing and listing San Mateo until EPA has fully engaged with local stakeholders, including the Village of Milan, and meaningfully addressed the concerns of the local communities.

The Village of Milan would like to work with EPA to find the best path forward, and I would be happy to further discuss this.

Sincerely,



Paul Pena
Manager, Village of Milan

Attached: Village of Milan Resolution encouraging alternatives to the listing of the San Mateo Basin on the NPL

C.C. Bruce Yurdin NMENV, Kurt Vollbrecht NMENV, Lara Katz NMENV, Mark Garman NMENV
Carl Edlund Director Superfund Division Dist. 6, Adam Weece EPA, Brenda Cook EPA

Village of Milan

Resolution 2018-07

A RESOLUTION OF THE VILLAGE OF MILAN TO OPPOSE THE RUSHED DECISION BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO PROPOSE PLACING THE SAN MATEO CREEK BASIN ON THE NATIONAL PRIORITIES LIST

WHEREAS, the Board of Trustees is the duly elected and governing body of the Village of Milan, New Mexico;

WHEREAS, New Mexico is known to have some of the richest uranium resources in the nation in the "The Grants Mineral Belt";

WHEREAS, during the forty-year period beginning in 1948, the Grants Mineral Belt produced more uranium than any other district in the country;

WHEREAS, New Mexico mined uranium between the 1948 and the 1969 for the sole benefit of the Atomic Energy Commission and the federal government's nuclear weapons program, and the federal government did not require that these early mines be reclaimed;

WHEREAS, in 1993, New Mexico initiated a reclamation requirement of certain mines, and the responsible companies completed reclamation to the standards in place at that time, though there are still abandoned mines that have not been reclaimed;

WHEREAS, to seemingly address the pending clean-up issues, the U.S. Environmental Protection Agency has suddenly proposed listing the entire San Mateo Creek Basin on the Superfund National Priorities List without providing sufficient data to the Village of Milan to support such a proposal, and the Village is concerned about the potential ramifications of such a proposed listing;

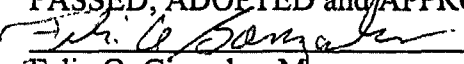
WHEREAS, while the Village of Milan encourages the clean-up of unreclaimed mines located in the San Mateo Creek Basin, these issues have existed for over fifty years, and a rushed listing of the entire Basin may have unintended consequences and may not be the best solution for our community;

WHEREAS, the Village of Milan has been working on developing an industrial park to help boost the economy in our area, and having a Superfund site in our area may hinder these efforts;

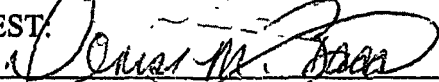
WHEREAS, the Village of Milan also supports the return of the modern uranium industry to the Grants Mineral Belt, and the proposed listing also has the potential to negatively affect this future development;

NOW, THEREFORE, BE IT RESOLVED that the Village of Milan Board of Trustees opposes EPA's proposal to consider the listing of the San Mateo Creek Basin at this time and respectfully requests EPA to consider other viable options, including working with known stakeholders, to achieve the mutual goal to address any potential risks to the health and environment of our community without proposing the entire Basin for listing.

PASSED, ADOPTED and APPROVED this 6th day of April, 2018.


Felix O. Gonzales, Mayor

ATTEST:


Denise Baca, Village Clerk